

**PRIORITY POPULATION DRUG COURTS
BYRNE JUSTICE ASSISTANCE GRANT (BYRNE JAG)
FISCAL YEAR 2015
PROGRAM DESCRIPTION**

(Restricted)

THIS PROGRAM AREA IS RESTRICTED TO THE STATE COURT ADMINISTRATIVE OFFICE (SCAO) ONLY. NO OTHER APPLICATIONS WILL BE ACCEPTED BY THE MICHIGAN STATE POLICE. SCAO WILL THEN ACCEPT APPLICATIONS FROM LOCAL PRIORITY POPULATION DRUG TREATMENT COURTS FOR AWARDS UNDER THIS PROGRAM AREA.

PROBLEM STATEMENT:

It is well-known that drugs are related to crime in multiple ways. Not only is it a criminal act to possess, use, manufacture, and/or distribute drugs that have a potential for abuse, but drugs are also related to crime through the effects that they have on the behavior of the user and the violence and activity that is connected with drug trafficking. In the most recent study by the Bureau of Justice Statistics, 17 percent of state prisoners and 18 percent of federal inmates reported that they committed their current offense to obtain money for drugs, and one-third of state inmates reported that they had committed their current offense while under the influence of drugs nationwide. Over two-thirds indicated that they had used regularly at some point in their lives.¹ The incarceration of drug users that are suitable for treatment-based alternatives is expensive to tax payers and a missed opportunity to reduce both addiction and crime.

PROGRAM DESCRIPTION:

This program area targets adult, substance-abusing felony offenders to reduce costs to the criminal justice system, reduce relapse and recidivism rates, and provide family reunification. The primary targets within that felony group are non-violent probation violators and other non-violent felony offenders, particularly straddle cell offenders who have a prior record variable of 35 points or more and, based upon statutory sentencing practices, are otherwise bound for prison.

Drug courts offer an integrated, systematic approach to dealing with substance-abusing offenders. They are evidence-based and have been found to substantially reduce drug use and recidivism while offenders are in the program. They represent an enhancement of community supervision by closely monitoring drug offenders in the community, placing and retaining them in intensive treatment services, providing random drug testing, incorporating rewards and incentives, and holding participants accountable through frequent court appearances.

LIMITATIONS:

Only drug courts that have gone through, or are going through, the federal Drug Court Planning Initiative, or existing drug courts that target substance abusing prison-bound felony offenders, are eligible. Clients must be within the straddle cell category of the Michigan Sentencing Guidelines as a means to reduce the state's burden on the costs of imprisonment. In order to generate new levels of coordination and partnership, drug courts which focus on prison-bound populations should work with local community corrections advisory boards under Michigan's Community Corrections Act (Public Act 511), parole and probation offices, substance abuse coordinating agencies and other stakeholders.

¹ View the full report at: <http://www.bjs.gov/content/pub/pdf/dudsfp04.pdf>

Public Act 224 of 2004 requires adherence to *The 10 Key Components of Drug Treatment Courts*, located at: <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf> and referenced in the Goals, Objectives, and Activities section of this program area. Priority population drug courts shall refer to the violent offender definition outlined in the Michigan Public Act 224 of 2004 and ensure that such offenders will be excluded from drug court programs.

GOALS, OBJECTIVES, AND ACTIVITIES:

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| Goal | Reduce the demand for drugs by breaking the cycle of substance abuse through drug courts. |
| Objective #1 | Drug courts integrate alcohol and other drug treatment services with justice case processing. |
| Activities | Ensure that law enforcement is a member of the drug court team; judge, prosecutor, defense attorney, treatment representative, program coordinator, and probation attend team meetings and court hearings; treatment communicates with court via e-mail or text. |
| Objective #2 | Using a non-adversarial approach, prosecution and defense counsel promote public safety, while protecting participants' due process rights. |
| Activities | Drug courts allow non-drug charges; all team members (judge, attorneys, coordinator, probation, treatment, law enforcement) attend case staffing and court sessions; a team member clearly explains the program expectations and individual rights to the participant. |
| Objective #3 | Eligible participants are identified early and promptly placed in the drug/sobriety court program. |
| Activities | The drug court excludes offenders with serious mental health issues; the program caseload is less than 125; case managers take steps to ensure that referrals are truly accessible to participants relative to their financial and transportation options; case managers follow up with referrals and troubleshoot any problems to help participants confidently follow through with referrals; the time between arrest and program entry is less than 50 days. |
| Objective #4 | Drug/sobriety court provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services. |
| Activity | The drug court works with two or fewer treatment agencies; the drug court offers gender-specific services; the drug court offers mental health treatment; the minimum length of the drug court is 12 months; the drug court has guidelines for the frequency of individual treatment sessions that a participant must receive. |

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| Objective #5 | Abstinence is monitored by frequent alcohol and other drug testing. |
| Activities | Drug test results are back in two days or less; in the first phase of drug court, drug tests are collected at least two times per week; participants are expected to have greater than 90 days clean (negative drug tests) before graduation. |
| Objective #6 | A coordinated strategy governs drug/sobriety court responses to participants' compliance. |
| Activities | Sanctions are imposed immediately after noncompliant behavior (meaning the drug court will impose sanctions in advance of a client's regularly scheduled court hearing); team members are given a copy of the guidelines for sanctions; positive reinforcement is incorporated into all levels of the drug court program; when possible, tangible incentives like tokens, gift cards, or snacks are incorporated into the program's court session; ideally, incentives should outnumber sanctions four to one; in order to graduate, participants must have a job or be in school; in order to graduate, participants must have a sober housing environment. |
| Objective #7 | Ongoing judicial interaction with each drug/sobriety court participant is essential. |
| Activities | Status hearings should be held at least biweekly during the first phase of the program--subsequently, the frequency of status hearings can be ratcheted downward, but hearings should be held at least once per month until participants have achieved stability; the judge spends an average of three minutes or more per participant during status review hearings; the judge is assigned to drug court on a voluntary basis; the judge's term is indefinite. |
| Objective #8 | Monitoring and evaluation measure the achievement of program goals and gauge effectiveness. |
| Activities | The results of program evaluations lead to modifications in drug court operations; review of the data and/or regular reporting of program statistics lead to modifications in drug court operations. |
| Objective #9 | Continuing interdisciplinary education promotes effective drug/sobriety court planning, implementation, and operations. |
| Activities | Team members receive training in preparation for implementation of the drug court; all new hires to the drug court complete a formal training or orientation. |

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| Objective #10 | Forging partnerships among drug/sobriety courts, public agencies, and community-based organizations generates local support and enhances the program's effectiveness. |
| Activities | Hold community meetings; provide referrals to local public health providers; establish connections between participants and local job and vocational training providers and educational services; utilize local churches, food pantries, clothing donations. |

NOTE: This is a competitive grant and will be awarded based on merit, demonstrated need, data-driven decision making and performance measures. SCAO will be the awarding agency to the local drug treatment courts.

PREVIOUS GRANT COMPLIANCE:

Application reviews will include scoring on the applicant's previous compliance with Byrne JAG federal and state requirements for timeliness, accuracy, and completeness of reports.

UNIFORM CRIME REPORTING COMPLIANCE:

Applicants and all subcontractors must comply with Michigan Public Act 319 of 1968, as amended. This law requires county sheriff's departments, as well as city, village, and township police departments to submit monthly uniform crime reporting data to the Michigan Department of State Police.

LOCAL BYRNE JAG APPLICATION REQUIREMENT:

Applicants and any subcontractors which appear on the federal fiscal year 2014 JAG Allocations List are required to have submitted a Byrne JAG application to the Department of Justice. Applicants which are eligible for direct Byrne JAG awards and which fail apply for those awards will not be considered for funding under this program. The fiscal year 2014 JAG Allocations List is available online at: www.bja.gov/programs/jag/14jagallocations.html.

BUDGET:

The maximum state award under this program area will be \$1,500,000. All costs must be reasonable and justified.

MATCH REQUIREMENT:

This program area requires no cash match.

BUDGET DEVIATION ALLOWANCES:

Budget deviation allowances will no longer be accepted. All budget and programmatic changes will require a formal amendment on the Michigan Automatic Grant Information Connection Plus (MAGIC+) system.

UNALLOWABLE EXPENSES AND ACTIVITIES:

- Costs in applying for this grant (e.g., consultants, grant writers, etc.).
- Any expenses incurred prior to the date of the contract.
- Any administrative costs not directly related to the administration of this grant award.
- Indirect costs rates or indirect administrative expenses (only direct costs permitted).
- Personnel, including law enforcement officers, not connected to the project for which you are applying.
- Lobbying or advocacy for particular legislative or administrative reform.
- Fund raising and any salaries or expenses associated with it.
- Legal fees.

- All travel including first class or out-of-state travel (prior approval required).
- Promotional items (except preauthorized under certain program areas).
- One-time events, prizes, entertainment (e.g., tours, excursions, amusement parks, sporting events) (except preauthorized under certain program areas).
- Honorariums.
- Contributions and donations.
- Management or administrative training, conferences (only pre-approved project related training).
- Management studies or research and development (costs related to evaluation are permitted).
- Fines and penalties.
- Losses from uncollectible bad debts.
- Purchase of land.
- Memberships and agency dues, unless a specific requirement of the project (prior approval required).
- Compensation to federal employees for travel or consulting fees.
- Military type equipment such as armored vehicles, explosive devices, and other items typically associated with the military arsenal.
- Purchase vehicles, vessels or aircraft.
- Construction costs and/or renovation (including remodeling).
- Service contracts and training beyond the expiration of the grant award.
- Informant fees, rewards or buy money.
- K9 dogs and horses (including any food and/or supplies relating to the upkeep of law enforcement animals).
- Livescan devices for applicant prints, including any related supplies.
- Weapons, including tasers.
- Food, refreshments, snacks.
 - Note: No funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (e.g., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be attained. Such an exception would require prior approval from the Department and the U.S. Department of Justice. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

INITIATION OF PROJECT:

All projects must be initiated within 60 days of the date the grant is awarded.

REPORTING REQUIREMENTS:

If this application is selected for an RSAT award, the requirements below must be met throughout the grant period. Failure to do so may cause your award to be suspended or revoked.

PERFORMANCE/PROGRESS/PERFORMANCE MEASUREMENT TOOL (PMT) REPORTS:

Progress reporting will take place no later than 20 days after the end of each quarter through the federal PMT system located at: <http://www.bjaperformancetools.org>. If applicable, another report also due no later than 20 days after the end of each quarter must be submitted that will include performance on implementation, activity, goals and objectives as well as metrics specific to your program area.

Quarterly due dates are outlined below:

- January 20, 2015
- April 20, 2015
- July 20, 2015
- October 20, 2015

All Performance/Progress/PMT Reports must be completed through MAGIC+ by the 20th day after the end of each quarter. It is the grantee's responsibility to become familiarized with the requirements of the Performance/Progress/PMT Reports, which are contained within the awarded contract.

FINANCIAL STATUS REPORTS (FSR) (REQUEST FOR REIMBURSEMENT):

FSRs must be submitted on a monthly basis, no later than 30 days after the close of each calendar month. Requests for reimbursement must be submitted for the month in which payment by the awarded agency was made. Dates are outlined below:

| Report Period | Report Due Date |
|--------------------|-----------------|
| 10/1/14 - 10/31/14 | 11/30/14 |
| 11/1/14 - 11/30/14 | 12/30/14 |
| 12/1/14 - 12/31/14 | 1/30/15 |
| 1/1/15 - 1/31/15 | 2/28/15 |
| 2/1/15 - 2/28/15 | 3/30/15 |
| 3/1/15 - 3/31/15 | 4/30/15 |
| 4/1/15 - 4/30/15 | 5/30/15 |
| 5/1/15 - 5/31/15 | 6/30/15 |
| 6/1/15 - 6/30/15 | 7/30/15 |
| 7/1/15 - 7/31/15 | 8/30/15 |
| 8/1/15 - 8/31/15 | 9/30/15 |
| 9/1/15 - 9/30/15 | 10/30/15 |

The FSR form and instructions for completing the FSR form are contained within MAGIC+. It is the grantee's responsibility to become familiarized with the requirements of the FSR, which are contained within the awarded contract.